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REMARKS/ARGUMENTS

In amended Fig. 2, the previously omitted element numeral 40 has been added and the separated parts are embraced by brackets. In amended Fig. 4, the separated parts are embraced by brackets.

Claims 1-5 and 8 remain in this application. Claims 6, 7, 9 and 10 have been canceled.

35 U.S.C. 102(b) Rejection - Isreeli

Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as allegedly anticipated by Isreeli (U.S. Patent No. 3,350,946). Claims 6 and 7 have been canceled. Claims 1 and 5 have been amended to recite that the identification tag consists of a one-piece rigid substrate body. Isreeli fails to disclose an identification tag consisting of a one-piece rigid substrate body. In Isreeli, the "sample receptacle 10 comprises a vial 12 having a boss 14 mounted to its exterior surface by a suitable adhesive. The boss 14 has a card-like member 16 mounted thereto by suitable means, such as adhesive, or as here shown, by rivet-like projections 18 passing through respective holes 20 in the member 16." See column 2, lines 16-22. Applicant's invention has significant advantages over Isreeli in that the one-piece rigid substrate body of Applicant's invention eliminates the time and expense associated with mounting or riveting the card-like member 16 of Isreeli to the boss 14.

Furthermore, Claims 1 and 5 recite that the one-piece rigid substrate body has raised indicia located on an upper flat surface of the one-piece rigid substrate body. In Isreeli, the plurality of notches 34 formed in the marginal portion 32 of the card-like member 16 "forms a combinational code, uniquely identifying the sample receptacle". See column 2, lines 29-34. The Examiner indicates that element 14 of Isreeli, the boss, is a one-piece rigid substrate. However, the boss does not have raised indicia thereon; the indicia of Isreeli are on the card-like member 16.

Accordingly, Applicant maintains that the invention of claims 1 and 5 is not anticipated by Isreeli and respectfully requests that this rejection be reconsidered and withdrawn.

35 U.S.C. 103 Rejection - Boire in view of Isreeli

Claims 1, 2 and 5-8 are rejected under 35 U.S.C. 103 as allegedly unpatentable over Boire et al. (U.S. 2002/0032102) in view of Isreeli (U.S. Patent No. 3,350,946). Claims 6 and 7 have been canceled. Claims 1 and 5 have been amended to recite that

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the identification tag consists of a one-piece rigid substrate body. Boire et al. fail to disclose an identification tag consisting of a one-piece rigid substrate body. In Boire et al., a sign plate 15 is attached to a saddle stem 12 which in turn is attached to a saddle fitting 11. See paragraph 37. Applicant's invention has significant advantages over Boire et al. in that the one-piece rigid substrate body of Applicant's invention eliminates the time and expense associated with mounting/attaching the saddle stem element to the sign plate element and/or mounting the saddle stem element to the saddle fitting element.

Furthermore, Claims 1 and 5 recite that the one-piece rigid substrate body has raised indicia located on an upper flat surface of the one-piece rigid substrate body. In Boire et al., the sign plate 15 includes "legible identification" (see paragraph 0037), but the sign plate element is not by itself an identification tag consisting of a one-piece rigid substrate body.

Given that Isreeli does not teach or suggest a one-piece rigid substrate body nor raised indicia located on an upper flat surface of the one-piece rigid substrate body (see above discussion), Isreeli does not cure the deficiencies of the primary reference Boire et al. Claims 2 and 8 depend from these independent claims. Accordingly, Applicant maintains that the invention of claims 1, 2, 5 and 8 is not taught or suggested by Boire et al. in view of Isreeli and respectfully requests that this rejection be reconsidered and withdrawn.

35 USC 103 Rejection - Boire et al. in view of Isreeli and further in view of Applicant's Admitted Prior Art

Claims 3, 4, 9 and 10 are rejected under 35 U.S.C. 103 as allegedly unpatentable over Boire et al. (U.S. 2002/0032102) in view of Isreeli (U.S. Patent No. 3,350,946) and further in view of Applicant's admitted prior art. Claims 9 and 10 have been canceled. In regard to claims 3 and 4, and in view of the deficiencies of the Boire et al. in view of Isreeli rejection (see above discussion) which are not overcome by Applicant's admitted prior art, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

35 U.S.C. 103 Rejection - Isreeli in view of Williamson

Claims 2 and 8 are rejected under 35 U.S.C. 103 as allegedly unpatentable over Isreeli (U.S. Patent No. 3,350,946) in view of Williamson (U.S. Patent No. 4,196,424). Claim 8 has been canceled. In regard to Claim 2, Williamson is cited for

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a teaching of making a tag from PVC. This teaching does not overcome the deficiencies of the primary reference Isreeli (see above discussion). Accordingly, Applicant maintains that the invention of claim 2 is not taught or suggested by Isreeli in view of Williamson and respectfully requests that this rejection be reconsidered and withdrawn.

35 U.S.C. 103 Rejection - Isreeli in view of Applicant's Admitted Prior Art

Claims 3, 4, 9 and 10 are rejected under 35 U.S.C. 103 as allegedly unpatentable over Isreeli (U.S. Patent No. 3,350,946) in view of Applicant's admitted prior art. Claims 9 and 10 have been canceled. In regard to claims 3 and 4, and in view of the deficiencies of the Isreeli rejection (see above discussion) which are not overcome by Applicant's admitted prior art, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

In view of the amendments and remarks presented herein, Applicant respectfully requests that a Notice of Allowance be issued in this case.

Please direct any questions regarding this application to Applicant's undersigned attorney at the number provided.

Respectfully submitted,

June 8, 2004
Dated

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